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Jagoe

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/056,296
Applicant: R. Eric MONTGOMERY
Filed: January 24, 2002
Art Unit: 1614
Examiner: D. Jagoe
Title: TOPICAL ORAL CARE COMPOSITIONS
Docket No.: 03173341
Customer No.: 26565

RESPONSE TO APRIL 21, 2004 OFFICE ACTION

This is in response to the Office Action dated April 21, 2004. The original period of response to the Office Action is a statutory period of three (3) months from the mailing date of the Office Action. Included herein is a petition and fee for a two-month extension of time. This response is timely filed if filed on or before July 21, 2004, in accordance with 37 C.F.R. §1.10. If there are any additional fees due in connection with the filing of this response, please charge these additional fees, or credit any overpayment, to our Deposit Account No. 13-0019. Applicant respectfully requests amendment of the patent application and reconsideration and allowance of the pending claims.

Amendment to the Claims begin on page 2 of this paper.

Remarks begin on page 9 of this paper.

control agent combined with an ascorbyl-2-phosphate compound. Therefore, Applicant feels that claim 46 is also allowable.

IV. Conclusion

With entry of the above amendment and in view of the foregoing remarks, it is respectfully submitted that claims 1-5, 7, and 11-46 are in condition for allowance.

None of Applicant's amendments or cancellations are to be construed as dedicating any such subject matter to the public, and Applicant reserves all rights to pursue any such subject matter in this or a related patent application.

It is respectfully submitted, in view of the foregoing Amendment and Remarks, that all of the objections and rejections in the Office Action dated April 21, 2004 have been overcome and should be withdrawn. Applicant respectfully requests early and favorable notification to that effect. The Examiner is encouraged to contact the undersigned with any questions or to otherwise expedite prosecution.

Respectfully submitted,

By: 
Joseph A. Mahoney
Reg. No. 38,956

MAYER, BROWN, ROWE & MAW LLP
P.O. Box 2828
Chicago, Illinois 60690-2828
Telephone: (312) 701-7174
Facsimile: (312) 706-9000

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